

## **LOS ALAMOS NATIONAL LABORATORY'S WORKERS' COMPENSATION PROGRAM**

Workers' Compensation is a state-mandated no fault system providing protection to employees who suffer a job incurred illness or injury. Compensation, which includes all authorized medical expenses and income for disability, is paid once the injury is determined to be job-incurred. Any injury or illness that arises out of and in the course of employment is considered job-incurred.

ESH-5 Safety Engineers/Industrial Hygienist will investigate the incident. After the completion of the investigation a copy of their report is sent to your supervisor. The Workers' Compensation Office of Risk Management determines the compensability of the claim based on the information provided by ESH-2 and ESH-5. The administrator, OHMS, may assist in the investigation and determination of compensability of a claim.

### **WHO PAYS FOR WORKERS' COMPENSATION?**

The Laboratory's program is self-insured; this means that the full cost of Workers' Compensation benefits is paid directly out of the Laboratory's operating budget. Payments are made for the Laboratory by a claims administrator, currently Occupational Health Care Management Services (OHMS) in Albuquerque.

The Workers' Compensation Administration also has a staff of advisors called an Ombudsman. An Ombudsman is an expert in the Workers' Compensation system, which answers questions from both employers and employees. The nearest office is located in Albuquerque and may be reached at 1-800-255- 7965.

### **ALL JOB RELATED INJURIES OR ILLNESSES MUST BE REPORTED TO YOUR SUPERVISOR IMMEDIATELY OR WITHIN THE 15 CALENDAR DAYS REQUIRED BY THE STATE, OTHERWISE, YOUR CLAIM MAY BE DENIED.**

During normal working hours you must also report to Occupational Medicine (ESH-2) for initial examination and treatment. If the injury occurs outside of normal working hours you should report to the nearest medical facility for treatment. You must notify ESH-2 during the next workday. You will receive two copies of the injury report filled out by you and the ESH-2 health care provider. One copy must be given to your supervisor and the other kept for your records.

A health care provider at ESH-2 will coordinate your medical care. Risk Management will authorize and arrange referrals to private consulting physicians, physical therapists, etc., as appropriate. If ESH-2 refers you to a private physician or hospital, the medical bills you incur will be paid in accordance with the New Mexico Workers' Compensation Medical Fee Schedule. To receive payment, your medical provider must include medical notes regarding your condition and planned treatment along with itemized bill. You will be required to sign a medical release form. The medical bills must be submitted to the Workers' Compensation Group, MS D423. **IT IS IMPORTANT TO NOTE THAT THE LABORATORY IS NOT OBLIGATED TO PAY FOR UNAUTHORIZED MEDICAL TREATMENT.**

When filling any prescriptions, you must inform the Pharmacy that it is on a work-related injury/illness. Payments for prescriptions are paid based on the Maximum Allowable Fee under the New Mexico Workers' Compensation Law. If you do not notify the pharmacy, you may be responsible for the balance above the fee schedule. Also, medical care requiring travel of 15 miles or more one way, may be submitted for consideration of reimbursement.

The Laboratory makes the first selection of health care provider. If after 60 days from the first date of medical treatment you feel you would like to change your medical provider, you may file for a change of medical provider with the New Mexico Workers' Compensation Administration. This notice of change must be filed no later than 10 days before treatment with your selection of a medical provider. It is imperative that you maintain close contact with your supervisor, ESH-2 health care provider and the Workers' Compensation Office.

## **WHAT ABOUT SALARY CONTINUANCE AND COMPENSATION?**

The Laboratory provides illness or injury leave (Injury Time) if an Authorized Physician determines that you are unable to work due to a job-incurred illness or injury. This applies to all regular full-time or part-time employees. While on Injury Time, you are paid 80% of your regular salary for up to 26 weeks. Injury time payments are taxable and made in lieu of Workers' Compensation benefits. The State-mandated Workers' Compensation payments for disability are 66-2/3% of your average weekly wage not to exceed the maximum weekly wage allowed as determined by the State of New Mexico (currently \$480.47). These payments are non-taxable.

Injury Time is reported to BUS-1 (Payroll) by you and approved by your group. Payroll, in turn reports the time to BUS-DO/RM. BUS-DO/RM, with concurrence from ESH-2, authorizes Injury Time. Absences reported as job-incurred illness or injury leave and subsequently denied are charged against the employee's sick or vacation leave accrual. Employees may contact the Risk Management Office at 665-4142 when assistance is required in determining appropriate Injury Time code usage. \*

If the 26 weeks of Injury Time is exhausted and you are still unable to return to work, you will receive your weekly Workers' Compensation checks at 66-2/3% from the Administrator. These checks will be sent directly to your home address. You may also choose to use sick or vacation accruals to continue receiving 80% of your regular salary.

If you are placed on leave without pay status, you should contact a Benefit Specialist in HR-1, (505) 667- 1806. Arrangements must be made to pay for your medical and other insurance coverage's.

Contact the Workers' Compensation Section of the Risk Management office at (505) 665-4142 if you have any questions about the Laboratory's Workers' Compensation Program.

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INJURY CODES:	I1 - Pays 100% of regular salary (First 7 calendar days of leave)
	I3 - Pays 80% of regular salary (After first 7 calendar days of leave up to 26 wks)
	I5 - Pays 100% of regular salary (Used for medical treatment)